

## REMARKS

The Office Action of November 22, 2001 has been received and its contents carefully noted.

In reply to Section 1 of the Office Action, the present Amendment explicit cancels claims 1 and 2.

In reply to Section 2 of the Office Action, a paper entitled "Further Proposed Drawing Changes" is being submitted concurrently. It relocates the "Fig. 5" notation, without characterizing the figure as prior art.

In reply to Sections 3 and 4 of the Office Action, a Substitute Specification is attached hereto. It includes the abstract, but not the claims. The attached Substitute Specification also incorporates the improvements that were included in the Amendment filed on February 13, 2001, together with additional improvements that were made during preparation of the Substitute Specification. In compliance with 35 CFR 1.125, the undersigned attorney states that he believes that the attached Substitute Specification includes no new matter. A copy of the specification as-filed, marked up to show the changes that have been made to the Substitute Specification, is attached. The Examiner is encouraged to review the marked-up copy in order to confirm that new matter has not been added.

Turning now to Section 5 of the Office Action, the present Amendment corrects the informalities that have been noted in claims 3, 5, and 20.

The rejection in Section 6 of the Office Action (that "the first number is more than twice as large as the second number, and ... the third number is more than twice as large as the fourth

number" in claim 16 is not supported by the original disclosure) is respectfully traversed for reasons that will now be discussed.

The arrangement shown in Figure 1 of the application's drawings (for example) shows the "first contacts," "second contacts," "third contacts," and "fourth contacts" of claim 16. The "first contacts" (which connect a source region to a first conductor over the source region) are illustrated as white squares 101. The "second contacts" (which connect the first conductor to a second conductor over the first conductor) are illustrated as black squares 104. Similarly, Figure 1 illustrates the "third conductors" (white squares 101) for connecting the drain region with a third conductor over the drain region, and the "fourth conductors" (black squares 104) for connecting the third conductor a fourth conductor over the third conductor. For the first and second contacts that provide the connections with the source region, and the third and fourth contacts that provide connections with the drain region, Figure 1 shows five white squares 101 between two black squares 104. In the arrangement shown in Figure 1, then, the number of first contacts is 2.5 times as large as the number of second contacts, and, similarly, the number of third contacts is 2.5 times as large as the number of fourth contacts. Accordingly, an ordinarily skilled person would have appreciated from the application that the inventors were in mental possession of the "more than twice as large" language in claim 1.

Additionally, the paragraph beginning at line 9 on page 4 of the application as-filed supports claim 1, as does the sentence at lines 29-31 on page 4. Accordingly, the rejection under the first paragraph of 35 USC 112 should be withdrawn.

Although Section 7 of the Office Action rejects claim 1 for indefiniteness, this rejection is moot in view of the cancellation of claim 1.

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Section 9 of the Office Action rejects claims 1-5 and 16-21 for obviousness on the basis of Ando in view of Narita. For the reasons discussed below, however, it is respectfully submitted that this rejection overlooks some of Narita's disclosure. In Narita's Figures 1-3, for example, two-level wiring 3 and 11 is disposed only over a source diffusion layer 51. Narita uses only a single wiring layer over his drain diffusion layer 81. Narita also uses two-level wiring over the source region but not the drain region in other embodiments (see Narita's Figures 4-6, 8, and 9). Since independent claim 3 recites "a third conductor ... over said drain region" and "a fourth conductor ... over said third conductor," it will be apparent that Narita teaches away from the invention defined by claim 3. Nor does Narita suggest a fourth contact group having contacts (as recited in claim 4) to provide connections with Narita's non-existent fourth conductor.

Independent claim 16 is patentable over the references for reasons along the lines discussed above with respect to claim 3. Additionally, claim 16 provides that the number of first contacts is more than twice that of the number of second contacts, and that the number of third contacts is more than twice the number of fourth contacts. This is not suggested by either Ando or Narita.

Since the remaining claims that have been rejected depend from the independent claims discussed above and recite additional limitations to further define the invention, it is respectfully submitted that they are patentable along with the independent claims and need not be further discussed.

For the foregoing reasons, it is respectfully submitted that the application is now in condition for allowance. Reconsideration of the application is therefore respectfully requested.

Respectfully submitted,



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